

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 71/93

Dated the 14th day of June 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

P.H. DUNLOP

of Pokeno

Broadcaster

TELEVISION NEW ZEALAND
LIMITED

I.W. Gallaway Chairperson

J.R. Morris

R.A. Barraclough

L.M. Dawson

DECISION

Introduction

Semi-automatic firearms were described as "Rambo Guns" and "Rambo-style Guns" on *One Network News* broadcast at 6.00pm on Saturday 12 December 1992.

Mr Dunlop complained to Television New Zealand Ltd that the use of those phrases breached the broadcasting standards as they were unfair and unbalanced and not impartial.

Maintaining that the film character played by Sylvester Stallone was associated with blazing firearms and especially automatic and semi-automatic weapons which were the type of weapons the news item dealt with, TVNZ declined to uphold the complaint. Dissatisfied with TVNZ's decision, Mr Dunlop referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the item complained about and have read the correspondence (summarised in the Appendix). As is its practice, the Authority has determined the complaint without a formal hearing.



Mr Dunlop complained to TVNZ about the use of the terms "Rambo Guns" and "Rambo-style Guns" on *One Network News* at 6.00pm on 12 December 1992. He said that the item had been referring to semi-automatic weapons but to describe them as "Rambo Guns" was neither fair, nor balanced nor impartial. The item, he concluded, breached standard 6 of the Television Code of Broadcasting Practice which requires broadcasters:

- 6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.

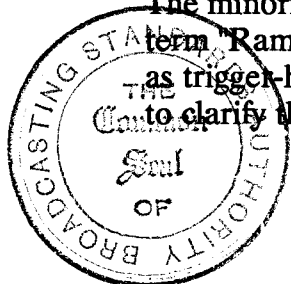
In response, TVNZ recorded that the practicality of the new gun laws was the issue being discussed in the item and, in order to explain the type of weapons to which the law applied, the phrase "rambo-style semi-automatics" had been used in the introduction and the body of the item had used the phrase "15,000 rambo guns out there in the community". Explaining that the references had been used to help viewers understand the type of weapons being discussed and arguing that there would have been no confusion about what was meant, TVNZ declined to uphold the complaint.

Mr Dunlop was dissatisfied with TVNZ's decision and, he maintained, to call semi-automatic firearms "Rambo Guns", incorporated the judgment that the owners of such weapons were the "trigger happy, the inarticulate, the sweaty etc".

Noting that the reference to "Rambo Guns" was contained in a news item, the Authority first considered what was meant by the expression. It agreed with the complainant that TVNZ's use of the term could be seen as imposing a judgment on the owners of such weapons but it added that, as it was a term which provoked a number of images, the image evoked was imprecise. On the one hand, it agreed with Mr Dunlop that his interpretation was one which could justifiably be drawn and, if that was the only possible conclusion, then the use of the term could well have contravened the standard. On the other hand however, as well as Mr Dunlop's conclusion, the Authority agreed that TVNZ's intention to refer to military style semi-automatic firearms was, in the eyes of many, an alternative conclusion. Indeed, in view of these two conclusions, the Authority decided that it was an imprecise description which went somewhat towards satisfying TVNZ's need for a brief yet meaningful term but, for those seeking precise clarity, fell short of supplying totally accurate information.

The news item discussed military style semi-automatic weapons and the use of that description in full, in the Authority's view, would have avoided the understandable alternative interpretations proposed in the discussion between TVNZ and the complainant. Although the use of the "Rambo" description was somewhat cavalier, imprecise and contained a value judgment which could be interpreted in a variety of ways, a majority of the Authority decided that the use of the terms "Rambo-style Guns" and "Rambo Guns", albeit borderline, was not serious enough to breach standard 6 of the Television Code.


The minority believed that the use of the term breached the impartiality provision as the term "Rambo" evoked an essentially negative image of the users of semi automatic guns as trigger-happy and violent. While the minority could appreciate that TVNZ intended to clarify the type of guns portrayed, it believed that the term contained a judgment that

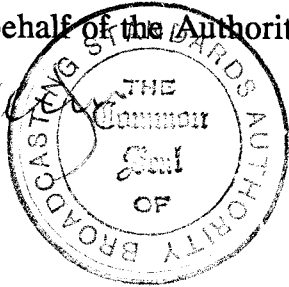


was unacceptable in a straight news item.

For the reasons set forth above, a majority of the Authority declines to uphold the complaint.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



14 June 1993

Appendix

Mr Dunlop's Complaint to Television New Zealand Limited

In a letter dated 22 December 1992, Mr Dunlop of Pokeno complained to Television New Zealand Limited about an item on *One Network News* broadcast on 6.00pm on Saturday 12 December.

Noting that the item had referred to semi-automatic firearms as "Rambo Guns", Mr Dunlop said that the use of that phrase breached standard 6 of the Television Code of Broadcasting Practice as it was misleading. The film character, John Rambo, he added, was initially only armed with a knife and, consequently, the item was unfair, unbalanced and not impartial.

TVNZ's Response to the Formal Complaint

TVNZ advised Mr Dunlop of its Complaints Committee's decision in a letter dated 11 February 1993.

Reporting that the complaint had been assessed under standard G6, TVNZ advised that the news item reviewed the operation of the new gun laws which had then been in operation for a month. When referring to semi-automatic firearms, it had referred, first, to "Rambo-style Guns", and later to "Rambo Guns".

Expressing surprise that the film character Rambo had only been armed with a knife initially, TVNZ said that character played by Sylvester Stallone was associated with blazing firearms - especially with automatics and semi-automatic weapons which were the target of the new gun laws. Arguing that the phrase was used to help viewers understand, TVNZ denied that the item was unbalanced.

Mr Dunlop's Complaint to the Broadcasting Standards Authority

Dissatisfied with TVNZ's response, in a letter dated 1 March 1993 Mr Dunlop referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting 1989.

He objected to the repeated use of the term "Rambo Guns" on the news item, adding:

The term is a judgement that the firearms in question are the choice of the trigger happy, the inarticulate, the sweaty etc. There is nothing complimentary about the term which I believe shows a lack of balance.

Furthermore, as the firearms used in the Rambo films were not freely available in New Zealand, he argued that it was unfair for TVNZ to call semi-automatic firearms "Rambo Guns" and, consequently, in breach of standard G6. TVNZ's reply, he



continued, also indicated that either TVNZ did not understand the difference between fully and semi-automatic weapons or was trying to mislead viewers.

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 31 March 1993 and TVNZ's response 20 April.

Repeating the explanation that the term "Rambo Guns" had been used as a catch-all phrase to advise viewers of the type of weapons being discussed, TVNZ argued that Mr Dunlop had now changed the thrust of his complaint. Whereas the original complaint focused on the item's lack of balance initially because the Rambo character had been armed with a knife, Mr Dunlop now maintained that TVNZ did not know the difference between fully and semi automatic weapons.

TVNZ stated that the Authority's legislative duty was to review the broadcaster's decision on the original complaint and, on that basis, it reiterated its belief that the term "Rambo Guns" accurately conveyed an image about the genre of weapons being discussed.

Mr Dunlop's Final Comment to the Authority

When asked to respond to TVNZ's reply, in a letter dated 30 April 1993 Mr Dunlop accused TVNZ of trivialising his complaint by assessing it as a complaint about a misrepresentation of Rambo's character. He maintained that the use of the term "Rambo" in the item was derogatory and that the phrase "Rambo Guns" was misleading. There was, he continued, no need for a serious news programme to ~~lower~~ itself to name calling.

